

AMENDED IN SENATE MAY 5, 2010  
AMENDED IN SENATE APRIL 27, 2010  
AMENDED IN SENATE APRIL 7, 2010

**SENATE BILL**

**No. 920**

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**Introduced by Senator Yee**  
**(Coauthors: Senators DeSaulnier and Wiggins)**  
(Coauthors: Assembly Members Blumenfield, Brownley, Jones, and  
Salas)

February 1, 2010

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An act to add Section 2887 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 920, as amended, Yee. Alphabetical telephone directories: distribution.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law provides that, unless certain determinations are made by the commission about the impact of federal action, the commission has no jurisdiction or control over classified telephone directories (commonly known as yellow pages) or commercial advertising included as part of a telephone corporation's alphabetical telephone directories (commonly known as white pages). Existing law requires the commission to require all telephone corporations that are local exchange carriers to include in their telephone directory information concerning emergency situations that may affect the telephone network.

This bill would ~~require the commission to~~ require a telephone corporation or ~~third-party~~ 3rd-party vendor, as defined, to allow ~~a any~~

telephone service—customer *subscriber* to opt out of receiving—an alphabetical a telephone directory,—as prescribed *published by a telephone corporation or 3rd-party vendor*. The bill would ~~require the commission to require those entities to comply with certain other requirements regarding directory recycling and recycled content~~ *prohibit telephone corporations and 3rd-party vendors from delivering directories to subscribers who opt out of receiving a directory, require that a telephone corporation or 3rd party vendor to demonstrate compliance with a specified law relative to recycled-content newsprint, and require that a directory contain clear and conspicuous language regarding opting out of receiving future directories and recycling of the directory.*

~~Under existing law, a violation of the Public Utilities Act or an order or direction of the commission is a crime. Because this bill would require an order or other action of the commission to implement its provisions and a violation of that order or action would be a crime, the bill would impose a state-mandated local program by creating a new crime.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: ~~yes~~-no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2887 is added to the Public Utilities Code,
- 2 to read:
- 3 2887. (a) As used in this section, “third-party vendor” means
- 4 ~~a third-party directory vendor that publishes subscriber telephone~~
- 5 ~~or address information, or both, in an alphabetical telephone~~
- 6 ~~directory distributed to residents and telephone service customers~~
- 7 *any entity other than a telephone corporation that publishes*
- 8 *telephone subscriber information in a telephone directory*
- 9 *distributed to residents and telephone service subscribers in this*
- 10 *state.*
- 11 ~~(b) The commission shall require any telephone corporation or~~
- 12 ~~(b) Each telephone corporation and third-party vendor to shall~~
- 13 do all of the following:

1 (1) Allow ~~a~~ any telephone service customer to opt out of  
2 receiving ~~an alphabetical telephone directory published by the a~~  
3 *telephone directory published by a* telephone corporation or  
4 third-party vendor.

5 (2) ~~For a third party vendor, honor any opt out request made~~  
6 ~~directly to the telephone corporation from which that vendor~~  
7 ~~obtains subscriber information.~~

8 (3) ~~The request to opt out shall remain in effect until the~~  
9 ~~customer requests to resume receiving alphabetical telephone~~  
10 ~~directories.~~

11 (4) ~~Provide a telephone number or Internet Web site address,~~  
12 ~~or both, on the front cover of all alphabetical telephone directories~~  
13 ~~for a customer to use to request not to have telephone directories~~  
14 ~~delivered. The following text shall appear on the cover of all~~  
15 ~~published alphabetical telephone directories:~~

16 -  
17 ~~TO DISCONTINUE DELIVERY OF TELEPHONE~~  
18 ~~DIRECTORIES, OR TO RECYCLE AN OLD DIRECTORY,~~  
19 ~~PLEASE CALL [telephone number] OR VISIT [Internet Web~~  
20 ~~site].~~

21 -  
22 (5) ~~Provide on the front cover of all published alphabetical~~  
23 ~~telephone directories a message that the directory can be recycled.~~

24 (2) *Not deliver a directory to any subscriber who has opted out*  
25 *of delivery until the subscriber requests that directory delivery be*  
26 *resumed. This paragraph does not prohibit a telephone corporation*  
27 *or third-party vendor from attempting to verify that a subscriber's*  
28 *request to opt out is still valid.*

29 (3) *Provide on the front cover of its telephone directory, in clear*  
30 *and conspicuous language, all of the following information:*

31 (A) *A telephone number or Internet Web site address, or both,*  
32 *for a subscriber to use to submit a request to opt out of delivery*  
33 *of future telephone directories.*

34 (B) *A statement that the directory can be recycled.*

35 (6)  
36 (4) Demonstrate compliance with Chapter 15 (commencing  
37 with Section 42750) of Part 3 of Division 30 of the Public  
38 Resources Code regarding the use of recycled-content newsprint.

39 ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
40 ~~Section 6 of Article XIII B of the California Constitution because~~

1 ~~the only costs that may be incurred by a local agency or school~~  
2 ~~district will be incurred because this act creates a new crime or~~  
3 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
4 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
5 ~~the Government Code, or changes the definition of a crime within~~  
6 ~~the meaning of Section 6 of Article XIII B of the California~~  
7 ~~Constitution.~~

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